

Official Minutes for Webb County
Commissioners Court Meeting

Monday, March 12, 2007 at 9:00 a.m.

(APPROVED MARCH 26, 2007)

(Correction on item #51 approved May 14, 2007)

Call to order by Judge Danny Valdez

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

Danny Valdez	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Rosaura "Wawi" Tijerina	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Sergio "Keko" Martinez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 8th of March 2007. Present also were Mrs. Imelda Diaz, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court

CALL TO ORDER BY THE HONORABLE COUNTY JUDGE DANNY VALDEZ

Item No. 1. ROLL CALL BY HONORABLE MARGIE RAMIREZ-IBARRA, WEBB COUNTY CLERK

Item No. 2. PLEDGE OF ALLEGIANCE

Item No. 3. APPROVAL OF MINUTES FOR FEBRUARY 26, 2007

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.]

Motion carried 5-0 by unanimous consent

Item No. 4. APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS

Mr. Rafael Perez, Chief Deputy Auditor, explained that the report was at 42% into the fiscal year. He explained that the jail showed a favorable balance, that the sales tax showed that receipts exceeded the budget which was very favorable, and the department revenues were listed on page 5. (Report filed at the County Clerks Office)

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 5. COMMUNICATIONS

Cmr. Sciaraffa had no communications.

Cmr. Tijerina had no communications.

Cmr. Garza thanked the City of Laredo Public Works for assisting in fixing a water line that broke back in March 1, 2007.

Cmr. Martinez advised that on March 29, 2007 there was going to be ground breaking at the Market Tennis Courts for the Girls Scouts/Webb County Youth Center.

Judge Valdez advised that the public comments section was for the public to voice their concerns on any agenda item in a respectful way; therefore, he advised that he was not going to tolerate any criticism towards the County Judge or any of the Commissioners.

Item No. 6. Public Comment-This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

Judge Valdez asked Mr. Homero Ramirez, County Attorney if Mrs. Eva Delgado could speak under the Public Comments being that she did not describe on the witness card which item she wanted to speak on; however, Cmr. Martinez advised that he did not see her in the audience.

1st witness – Jose M. Guevara

Mr. Guevara spoke on Item #50 stating that he was part of the selection committee for the Public Defender. He explained that he wanted to let the Court know that the selection that was given to the Court in a memo was not determined by a unanimous decision but rather by a 3-2 vote. He advised the Court that some of the committee members assumed that since the applicants were forwarded to them for selection they all met the qualifications; however, some of the applicants were lacking qualifications.

Item No. 7. Status report/presentation by Administrative Services Department and the South Texas Blood & Tissue Center on recent Webb County Blood Drives.

Ms. Cynthia Mares, Administrative Services Department, thanked the Administrative Services Department especially Ms. Gaby Villarreal for working diligently so these blood drives could be a success. She thanked all Webb County employees for their support.

Ms. Lorie G. Arrellano, South Texas Blood & Tissue Center, asked the County for their support with the blood drives. She explained that the community's blood supply was at a critical level and gave the Court important statistics which reflected the blood supply for the community.

Judge Valdez commended Ms. Mares and her staff on a job well done and thanked the employees for their support.

Item No. 8. Discussion and possible action to proclaim March as "Laredo Animal Protective Society Month in Webb County, Texas".

Judge Valdez introduced Ms. Diana Farias and her staff. Ms. Farias thanked Webb County for their support to the Laredo Animal Protective Society and also the staff for being very dedicated to the care of these animals.

Judge Valdez asked if they would require any of the community centers to be open for the campaign that was going on for the vaccinations. However, Mr. Hector Gonzalez, responded that every year during the month of March the vaccination campaigns are held but that none of the community centers would be required to remain open.

Judge Valdez read the proclamation.

Item No. 9. Discussion and possible action to accept a grant of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) from the Lamar Bruni Vergara Foundation for the construction of the El Cenizo Public Library Building including an amount, to be determined, as a grant to the City of El Cenizo for site acquisition for the project.

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10. Discussion and possible action to authorize the Purchasing Agent to issue a Purchase Order to AEP to install 46 Street Lights, on Espejo Molina Road from Hwy 83 to El Cenizo, Texas, and to authorize the transfer of \$16,000.00 of Interest Income from Fund 657 to Acct. No. 661-7501-8621-01 Espejo Molina Road. **[Requested by Tomas M. Rodriguez Jr. P.E.; Account Number 661-7501-8621-01]**

Cmr. Sciaraffa thanked Mr. Tomas Rodriguez, County Engineer, for all his hard work and motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11. Discussion and possible action to authorize the transfer of \$100,363.02 from Interest Income Series 2006 (711-0300-3601) to the Santa Teresita Community Center Construction Account (723-8103-8710-1).

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Martinez explained that the prize pack was the same for both Penitas West Community Center and the Santa Teresita Community Centers; to which Cmr. Tijerina responded yes, however, this was for additions which included a kitchen and a medical examining room. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12. Discussion and possible action to authorize Change Order No. 1 for the addition of two offices, one bathroom, computer laminated desk counters, five doors, electrical work and one two ton AC unit in the amount of \$23,995.85 and the deletion of 10,211 square feet of asphalt from parking lot in the amount of \$23,995.85. Contractor will install approximately 367 cubic yards of caliche base on the south side parking lot. The contract price of \$458,363.02 will not increase.

Cmr. Tijerina motioned to approve item as submitted and allow the contractor 25 extra days. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 13. Discussion and possible action to enter into a purchase and installation contract involving water well pumping equipment with Richardson & Dunn, Inc. d/b/a J & S Water Wells involving Webb County's school lands' water well located off U.S. Highway 83 and Texas Highway 44 at a cost not to exceed TWO HUNDRED FORTY-NINE THOUSAND DOLLARS (\$249,000.00), and authorizing the Webb County Judge to execute all relevant documents. **[Account Number 718-0118-8601]**

Cmr. Garza motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 4-1 with Cmr. Martinez voting against.

Item No. 14. Discussion and possible action to authorize and direct Webb County's "County-City Projects Coordinating Committee" to have open discussions with the City of Laredo's "City-County Government Issues Committee" to formulate agreements on the "Colombia-Webb County Rail Bridge Project" and on the "Laredo International Bridge V Project" and any matters incident thereto.

Judge Valdez explained that a lot of pending issues were going to get resolved with the City and would like to have the committee start dialogue with the City on all these issues.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Tijerina motioned to take a fifteen (15) minute break. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

MEDIA BREAK (9:30 – 9:45)

Judge Valdez recognized Mayor Raul Salinas and his wife Yolanda for being present at the meeting.

Item No. 15. Discussion and possible action to enter into a contract amendment with RWL GROUP, insurance consultants, to extend the contract period for one year (March 15, 2007 to March 15, 2008) at a monthly cost of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) for preparation of an RFP for the County's voluntary insurance program and cafeteria plan/administration including plan survey, specifications and bidding process, and to expand the property and casualty services to include a workers compensation claims audit, and authorizing the Webb County Judge to execute all relevant **[Requested by Administrative Services; Account Number 817-0105-6022]**

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 50 by unanimous consent.

Judge Valdez called on Mayor Raul Salinas and his wife Yolanda Salinas.

Mayor Raul Salinas advised the Court that the State was very happy to hear that the City and the County were working together. Mrs. Yolanda Salinas thanked Judge Valdez and the Court for the approval on the Proclamation for the month of March. She mentioned that on March 31st there was going to be a birthday party at the Mall Del Norte parking lot where various activities were going to take place and a sale of t shirts for \$10.00 for benefit of the Laredo Animal Protective Society.

Cmr. Tijerina thanked both Mayor Raul Salinas and his wife for their cooperation.

Item No. 16. Discussion and possible action to enter into a Third Party Funding Agreement with the TAMIU Guitar Ensemble in the amount of THREE THOUSAND THREE HUNDRED SEVENTY DOLLARS (\$3,370.00) and authorizing the County Judge to execute all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Cmr. Martinez asked if the monies had been previously approved; to which Mr. Homer Ramirez, County Attorney, answered yes.

Motion carried 4-1 with Cmr. Martinez abstaining from voting. Scia/garza

Item No. 17. Discussion and possible action to enter into a one year (January 1, 2007 through December 30, 2007) contract with National Plan Administrator to serve as Webb County's Third Party Administrator of Webb County's Section 125 Cafeteria Plan at the following cost:
Premium Only Participants \$ 1.00 Per Participant Per Month
Flexible Spending Account Participants \$ 2.50 Per Participant Per Month
Annual IRS Form 5500 Filing \$ 75.00 (if required)
Annual Enrollment Services \$ 5.00 (per # of employees)
and authorizing the Webb County Judge to execute all relevant documents.
[Requested by Administrative Services; Account Number 817-0105-6022]

Mr. Homero Ramirez, County Attorney, advised the Court that the correct account number should read as 816-0105-6039.

Cmr. Garza motioned to approve item with correct account number. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 18. Discussion and possible action to enter into an inter-local agreement with Zapata County to fund the cash match portion of the Edward Byrne Memorial Justice Assistance Grant which funds the District Attorney's Multi Agency Task Force in the amount of ONE MILLION SIX HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED NINETY-NINE DOLLARS (\$1,699,799.00) with Webb County's obligation being TWO HUNDRED ONE THOUSAND AND FIFTY-FIVE DOLLARS (\$201,055.00) and authorizing the County Judge to execute all relevant documents. **[Requested by the DA's Multi-Agency Narcotics Task Force, Account No: 284-1100-3532]**

Mr. Homero Ramirez, County Attorney, asked the Court to permit Mr. Raul Hinojosa to comment on this item.

Mr. Raul Hinojosa, Administrative Assistant for the South Texas Anti-Violence Project under the direction of District Attorney Joe Rubio, advised that this purchase would have no impact towards the County Budget because it would be funded through the Forfeiture Account and the State which in turn would not require a match from Webb or Zapata Counties. He explained to the Court that it used to be the Laredo Multi Agency Narcotics Task Force but the Governor's Office changed the direction to a crime unit where now they are working with murders, kidnappings, gangs, and not excluding white collar crimes if necessary.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 19. Discussion and possible action to accept THREE (3) Right-of-Way out of Tanquecitos I, ONE (1) Right-of-Way out of D-5 Acres, FIVE (5) Drainage Easement out of Bonanza Hills, and ONE (1) Quitclaim Deed out of Bonanza Hills and authorizing the County Judge and Commissioners to sign all relevant documents.

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20.** Discussion and possible action to enter into a Third Party Funding Agreement with Ruth B. Cowl Rehabilitation Center in the amount of NINETY THOUSAND DOLLARS (\$90,000.00) and authorizing the County Judge to execute all relevant documents. **[Requested by As per Webb County Budget FY 2007; Account Number 001-4300-3100]**

Cmr. Garza motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21.** Discussion and possible action to approve a Resolution and Order of the Webb County Commissioners Court, authorizing the filing of an Economically Distressed Areas Program application with the Texas Water Development Board for financial assistance in the amount of FOUR MILLION EIGHT HUNDRED TWELVE THOUSAND SIX HUNDRED NINETYFIVE DOLLARS (\$4,812,695.00) which includes a SIX HUNDRED FORTY-EIGHT THOUSAND DOLLAR (\$648,000.00) loan component and designating the County Judge as the authorized representative of the county to act on behalf of the Webb County Commissioners Court in all matters pertaining to the submission and execution of the grant.

Mr. Homero Ramirez, County Attorney, explained that the final numbers were not to exceed \$ (5) five million and for the loan compartment it was to be \$710,000.00.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22.** Discussion and possible action to name the Fire Services Brush Truck acquired with grant money from the Texas Forest Service to be used by the Bruni Volunteer Fire Department, and any matters incident thereto. **[Requested by Juan Vargas; Account Number N/A]**

Mr. Juan Vargas, Economic Development, explained that the brush truck that was acquired through a grant was completed but the name was still missing. He stated that all four trucks which included the three that were purchased before needed to be named the same and recommended the following: on the first line **QUAD CITY**; on the middle line **VOLUNTEER FIRE SERVICE**, and in the third line **WEBB COUNTY**.

Cmr. Tijerina motioned to approve the name for the brush trucks. Cmr. Garza seconded the motion.

Motion carried 4-1 with Cmr. Sciaraffa not present.

- Item No. 23.** Discussion and possible action to set the closing date for the Atlantic Inland Group, Inc., "Casa Ortiz" purchase and authorizing the County Judge or his designee to attend the closing and sign any closing documents. **[Account Number 728-8113-8609 \$1,650,000.00; 723-8103-8710-1 \$33,333.00; 723-8103-8710-2 \$33,333.00; 725-8102-8609 \$33,334.00]**

Mr. Homero Ramirez, County Attorney, advised that the anticipated date was March 30th.

Cmr. Garza motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 4-1 with Cmr. Martinez abstaining from voting.

Mr. Ramirez advised the Court that this item was initiated by the previous Court.

Item No. 24. Discussion and possible action to amend the contract with the Red Cross to further clarify the contracting party as the Laredo Branch of the San Antonio Area Chapter for the American Red Cross. **[Requested by Hon. Homero Ramirez, Webb County Attorney; Account Number 001-0110-7411]**

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 25. Discussion and possible action to enter into an Interlocal Agreement with the City of Laredo for 911 PSAP back-up and authorizing the County Judge to sign all relevant documents. **[Requested by City of Laredo; Account Number None]**

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 26. Discussion and possible action to enter into a Memorandum of Agreement to participate in the National Institute of Justice (NIJ) Law Enforcement Aviation Technology Program. Memorandum between the Webb County Sheriff's Department, Border Research and Technology Center, United States Department of Justice and National Institute of Justice for the use of a Rans6-6ES Coyote II N43822 aircraft.

Major Winteroth explained that this project has been underway for more than a year and that it would be at no cost to the County or the tax payer. He advised that the only impact was for the maintenance and insurance which would be about \$3 – 4 thousand a year.

Judge Valdez motioned to table item to clarify some items. Cmr. Sciaraffa seconded the motion.

Cmr. Garza asked Ms. Cynthia Mares to give the Court a time frame that would take her to bring back the information on the insurance because he did not want to lose the gift that they are receiving. Ms. Mares explained that it was a lengthy application; however, if more time was needed she would advise the Court.

Motion carried 5-0 by unanimous consent.

Item No. 27. Discussion and possible action to accept the following aircraft to the Webb County Sheriff's Department Fleet: Rans6-6ES Coyote II N43822, registration mark N 43822 Aircraft serial no. 12041628

Judge Valdez motioned to table item to clarify some pending items. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 28. Discussion and possible action to request to obtain one additional VHF radio frequency license for the Webb County Sheriff's Departments Communications Center in order to separate 911 radio transmissions from general radio communications.

Mr. Louie Zapata, Chief Deputy for Sheriff's Office, explained that all constables were in agreement that an additional channel was necessary. Mr. Mario G. Cavazos, Public Safety Officer for Webb County, advised the Court that he has made the necessary requests submissions and will come back to the Court with the amount of costs.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 29. Discussion and possible action to approve the following line item transfers:

From:	001-2001-5001	Payroll	10,336.00
	001-2003-5001	Payroll	2,375.00
	001-2020-5001	Payroll	986.00
	001-2060-5001	Payroll	74,768.00
	001-2060-6022	Professional Services	8,913.00
	001-2061-5001	Payroll	23,169.00
	001-2600-5001	Payroll	5,371.00
To:	001-2001-5003	Overtime	37,000.00
	001-2001-5301	FICA	1,822.00
	001-2001-5303	Retirement	2,093.00
	001-2001-5304	Health/Life Insurance	448.00
	001-2001-5305	Worker's Comp	1,727.00
	001-2001-5306	Unemployment	382.00
	001-2001-5011	Sick Leave Buy Back	11,809.00
	001-2001-6205	Materials & Supplies	4,000.00
	001-2001-6224	Minor Tools & Apparatus	4,000.00
	001-2060-5005	Temporary Part time	47,500.00
	001-2060-5011	Sick Leave Buy Back	2,137.00
	001-2060-6011	Training & Education	5,000.00
	001-2060-6205	Materials & Supplies	4,000.00
	001-2060-6224	Minor Tools & Apparatus	4,000.00

Cmr. Sciaraffa asked if all this transfers were coming from payroll savings to which Major J.J. Gonzalez responded yes.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Cmr. Tijerina asked if everything was budgeted and Major Gonzalez responded yes and explained that line item 001-2060-6022 is from Professional Services.

Motion carried 5-0 by unanimous consent.

Item No. 30. Discussion and possible action to approve refund of \$2,776.32 to Jewelry International Inc., c/o Jeevath Buxani, from property tax account 800-09000-034 due to adjustment in value for 2006.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Martinez asked Ms. Patricia Barrera, Webb County Tax Assessor Collector, if she personally reviewed the documentation or if it was based under someone else's word; to which Ms. Barrera responded that what is given to them has to be taken. Mr. Homero Ramirez, explained that certain refunds do go through the County Auditor's office.

Motion carried 5-0 by unanimous consent.

Item No. 31. Discussion and possible action to act on and finalize procedures for selection process of

the Public Information Officer position, including but not limited to, the scheduling of interviews with applicants

Cmr. Martinez motioned to accept all applications that were turned in and bring them to the Court and under Executive Session make a selection. Cmr. Tijerina seconded the motion.

Mr. Homero Ramirez, County Attorney, reaffirmed Cmr. Martinez's motion.

Motion carried 5-0 by unanimous consent.

Item No. 32. Discussion and possible action to approve the submission of an application to the United Way of Laredo for the Webb County Community Action Agency's Elderly Nutrition Program in the amount of \$75,000.00.

Judge Valdez walked out at 10:24 a.m.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 4-1 with Judge Valdez not present.

Item No. 33. Discussion and possible action to approve a Resolution and Order authorizing joint elections between Webb County, the United Independent School District and the City of Rio Bravo, Texas to be conducted on May 12, 2007 and authorize the Webb County Elections Administrator to prepare Joint Election Services Contracts for both entities for the conduct and supervision of said elections **Pursuant to Chapter 271, Texas Election Code.**

Judge Valdez walked in at 10:27 a.m.

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 34. Discussion and possible action to approve a Resolution and Order authorizing and establishing the Main, Temporary Branch, and Mobile Early Voting Polling Sites for the May 12, 2007 Joint Elections **Pursuant to Chapter 85, Texas Election Code.**

Mr. Oscar Villarreal, Elections Administrator, explained that polling sites would be at the Administration Bldg., Finley Elementary, Cigarroa High School, Mall Del Norte, and at each Commissioner's precincts including five mobile units.

Cmr. Tijerina motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Cmr. Garza asked if there were any changes to the sites to which Mr. Villarreal responded that everything was the same except that in this election there was not going to be a site at the Justice Center.

Motion carried 4-1 with Cmr. Garza not present.

Item No. 35. Discussion and possible action to approve a Resolution and Order authorizing and establishing Election Day Polling Places for the May 12, 2007 Joint Elections pursuant to Chapter 43, Texas Election Code and Consolidating certain precincts within Webb County **Pursuant to Section 42.008, Texas Election Code.**

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 36. Discussion and possible action to approve a Resolution and Order authorizing and establishing salaries for Election Day presiding judges and clerks and establishing the maximum number of clerks for each polling place for the May 12, 2007 Joint Elections **Pursuant to Sections 32.091 (a) and Section 32.033, Texas Election Code.**

Mr. Oscar Villarreal, Elections Administrator, advised the Court that the judges were paid \$9.25 an hour and the clerks were paid \$8.25 an hour.

Cmr. Martinez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-1 with Cmr. Garza not present.

Item No. 37. Discussion and possible action to approve a Resolution and Order authorizing and establishing a Central Counting Station, appointment of the Central Counting Station Manager, Tabulation Supervisor, Assistant Tabulation Supervisors, Central Counting Station Presiding Judge and establish their respective salaries for the May 12, 2007 Joint Elections **Pursuant to Sections 127, Texas Election Code.**

Cmr. Tijerina motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Martinez asked Mr. Oscar Villarreal, Elections Administrator, several questions on the screening of employees hired during the elections; to which Mr. Villarreal answered that the law does not allow them to hire any employee that is related to any candidate.

Motion carried 5-0 by unanimous consent.

Item No. 38. Discussion and possible action to authorize the Purchasing Agent and the County Engineer to Advertise for Proposals for an "Appraisal Reviewer" for the Cuatro Vientos R.O.W. Acquisition project. **[Requested by Texas Dept. of Transportation.; Account Number 716-7102-6022]**

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, explained that the plans were to take proposals by section and bring them back to the Court for approval. He advised Cmr. Martinez that a notice for proposals would be sent to all appraisers.

Motion carried 5-0 by unanimous consent.

Item No. 39. Discussion and possible action to authorize final payment and retainage to CG Construction Inc., in the amount of \$11,874.36 for the County Nutrition and Health Center located off of Hwy 359 next to the Self Help Center. **[Requested by CG Construction.; Account Number 708-8001-8801]**

Cmr. Martinez motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Valdez advised the Court that Mr. Tomas Rodriguez and Mr. Carlos Villarreal were in Washington that waw why they were not present.

Item No. 40. Discussion and possible action to solicit request for proposals to construct under the "Design Build" concept night lighting, drainage and shelter improvements to the existing Webb County Law Enforcement Pistol/Rifle Range. **[Requested by Juan Vargas, Economic Development; Account No. 308-2001-6224 and 308-2001-8801]**

Cmr. Tijerina motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 41. Discussion and possible action to authorize the purchase of one digital copier e-Studio 351c through Texas Buyboard contract #231-05 in the amount of \$7,085.00 from Office Communications System for Commissioner Pct. 2's office. **[Requested by : Commissioner Pct. 2, Rosaura " Wawi" Tijerina Account Number 722-0101-8801]**

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42. Discussion and possible action to authorize the transfer of one (1) Econoline van VIN#1FTFS24Y4THB03105 to the Medical Examiner Department.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded item as submitted.

Motion carried 5-0 by unanimous consent.

Item No. 43. Discussion and possible action to donate the attached office equipment pursuant to Subchapter D, Disposition of Salvage or Surplus Property §263.152,(4),(b), (c) of the Texas Government Code to the Laredo Crime Stoppers. **[Requested by Carolyn Leyendecker, Executive Director]**

- 1) Coffee Table
- 2) Chair
- 3) Typewriter

Mr. Eloy Ramirez, Purchasing Agent, advised the Court that the last item should be a typewriter table.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 44. Discussion and possible action to award the following bid: Bid 2007-67 Webb County Tax Office Remodeling. **[Requested by Patricia Barrera Account No. 722-0700-8801]**

Mr. Eloy Ramirez recommended to the Court to award the Bid to Saadria, Inc. in the amount of \$18,550.00.

Cmr. Sciaraffa motioned to approve the recommendations. Cmr. Martinez seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, advised the Court that the only pending item would be the insurance requirement which will be met until they provide a binder which includes Saadria, Inc. Mr. Eloy Ramirez explained to the Court that this company is still under Santos Sierra, however, there name changed but advised that they will obtain a certificate of insurance with the new company name.

Motion carried 5-0 by unanimous consent.

- Item No. 45.** Discussion and possible action to purchase one (1) year Software Maintenance Agreement for IBM iSeries/400 for the MIS Department in the amount of \$24,995.00.
[Requested by : Jaime F. Alvarado; Account Number 001-0500-6411]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 46.** Discussion and possible action to purchase seven (7) desktop computers and necessary software for the Administrative Services Department through the DIR-SDD-200 Contract for the amount of \$8,050.00 from the following vendors:
- | | | |
|-------------------------|---------------|------------|
| (1) 7 desktop computers | LENOVO | \$5,544.00 |
| | DIR Contract | |
| | DIR-SDD-200 | |
| (2) Software | Shaina Bigman | \$2,506.00 |
| | DIR Contract | |
| | DIR-SDD-198 | |
| | TOTAL: | \$8,050.00 |
- [Requested by: Cynthia Mares; Account Number: 2006 Certificates of Obligation].**

Cmr. Martinez motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to go into Executive Session. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

(10:47 a.m. to 12:16 p.m) EXECUTIVE SESSION

- Item No. 47.** Discussion and possible action to provide direction and authority in Cause No. L-06-85; Guillermo Garcia vs. Webb County; In the United States District Court for the Southern District of Texas, Laredo Division. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with attorney)].**

Mr. Homero Ramirez, County Attorney, recommended settlement and asked the Court for their authority.

Cmr. Tijerina motioned to approve recommendation. Cmr. Martinez seconded the motion.

Motion carried 4-1 with Cmr. Sciaraffa not present.

- Item No. 48.** Discussion and possible action to provide direction and authority in Civil Action No.05:06cv01; Jose M Rodriguez, III vs. Webb County, Texas and Juan Garza, Former Sheriff Individually; In the United States District Court for the Southern District of Texas, Laredo Division. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with attorney)].**

Mr. Homero Ramirez, County Attorney, advised that there was no mediation scheduled at this time and recommended settlement within the parameters discussed in Executive Session.

Cmr. Tijerina motioned to approve recommendation. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 49. Discussion and possible action regarding mediation in Satterfield & Pontikes, Inc. v. Webb County, Texas and any matters incident thereto. **[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Mr. Homero Ramirez, County Attorney, advised the Court that no action was required on this item since it was just a status report to inform the Court on the progress.

Item No. 50. Discussion and possible action to accept or reject the recommendations of the committee reviewing applicants for the position of Webb County Public Defender; to establish further selection criteria or procedures; to conduct or schedule interviews; and/or to make a selection. **[Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Sections 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters)]**

Cmr. Garza motioned to accept the recommendations of the committee and have the two individuals come forth for a second interview in Commissioner's Court. Judge Valdez seconded the motion.

Motion failed 2-3 with Cmr. Martinez, Cmr. Tijerina, and Cmr. Sciaraffa voting against.

Cmr. Martinez motioned to interview all five applicants (being that one was disqualified for failure to meet all the RFQs) in Executive Session. Cmr. Sciaraffa seconded the motion.

Mr. Homero Ramirez, County Attorney, asked when the Court would like to conduct the interviews, to which Cmr. Martinez responded that a special meeting would have to take place.

Motion carried 3-2 with Judge Valdez and Cmr. Garza voting against.

Item No. 51. Discussion and possible action to enter into an Agreed Order with TCEQ for a Supplemental Environmental Project in Docket No. 2003-0051-MLM-E and any matters incident thereto. **[Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Mr. Homero Ramirez, County Attorney, advised that Webb County will pay an administrative fine for a different project which will involve higher cleanup.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Tijerina seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 52. Adjournment

Cmr. Tijerina motioned to adjourn. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.